

## REMARKS/ARGUMENTS

The Examiner is thanked for the performance of a thorough search. By this amendment, Claims 1, 15-25 and 27-29 have been amended. Hence, Claims 1-25 and 27-29 are pending in the application.

Claim 1 was rejected under 35 U.S.C. § 101 as being non-statutory. However, the criteria for that rejection appears to be mis-applied. The rejection states that a revision that shows a clear output could overcome this rejection. (Office Action, page 3, paragraph 1)

Applicant suggests that Claim 1 already shows a clear output. As shown below, Claim 1 recites, inter alia, generating a set of information about how to execute a database statement. The set of information generated could be one example of a clear output. Claim 1 also recites sending data to each slave process. The data that is sent is another example of a clear output.

The rejection of claim 1 35 U.S.C. § 101 also states that “[t]he program product stored on a computer-readable medium is capable of causing execution of a function or service on a grouping of instances of data objects; however, function invocation and data manipulation, per se, lacks [sic] usefulness . . .”. (Office Action, page 3, paragraph 1) This portion of the rejection also seems misdirected, because Applicant is not claiming a program product on a computer-readable medium, and is also not claiming function invocation and data manipulation. Thus, it is unclear how these assertions apply to Claim 1.

For at least the above reasons, the rejection of Claim 1 under 35 U.S.C. § 101 should be withdrawn.

Claims 1-3 were rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,996,548 to Ratcliff (“Ratcliff”).

Claim 1 is repeated below.

1. A method for processing a **database statement** within a **database server**, the method comprising the steps of:  
 receiving at the database server the database statement;  
 determining that at least one operation required by the database statement can be parallelized;  
 within the database server, **generating a set of information** about how to execute the database statement;  
 causing a **plurality of slave processes** to perform said at least one operation by **sharing the set of information with each slave process** of said plurality of slave processes, wherein the set of information shared with each slave process includes  
     (a) information about a task to be performed by said slave process, and  
     (b) **information** about one or more tasks, **to be performed** by processes **other than the slave process**, to execute the database statement; and  
 sending to each slave process of said plurality of slave processes **data that** indicates which part of the set of information shared with the slave process **represents the part** of the at least one operation **that should be performed** by the slave process. (emphasis added)

Claim 1 recites one or more features that are not taught or suggested by Ratcliff. For example, as highlighted above, Claim 1 recites, inter alia, processing a database statement within a database server. Conversely, Ratcliff not directed toward databases, database servers, or database statement, and does not anywhere contain the term “database” in any context. Instead Ratcliff is directed to a plurality of processors cooperating to solve a job such as an algorithm (Ratcliff, col. 3, lines 28-30).

Ratcliff also does not disclose generating a set of information about how to execute the database statement, as claimed and highlighted above. The portions of Ratcliff relied upon by the Office Action (“packaging” data, sending over network as an object; col. 4, lines 56-63) are mis-applied. Ratcliff’s data is packaged and sent. No where in the cited section, or any part of Ratcliff, is the cited data described as containing any information about how to execute anything, much less a database statement. Additionally, if no database statements are disclosed, it is not possible to anticipate generating a set of information about how to execute a database statement.

Ratcliff further does not contain slave processes, again as claimed and highlighted above. The Office Action cites Ratcliff's Distributed Objects Environment (DOE) as anticipating the claimed slave processes (Office Action, page 4, paragraph 5; citing Ratcliff, col. 5, lines 15-20). However, this characterization is erroneous. First, Ratcliff does not describe any type of distribution of information across each DOE. Also, Ratcliff's DOEs are passed around between different processes or different machines (Ratcliff, col. 5, lines 28-32).

Next, when Ratcliff engages in the process of parallelization, the distributing server 210 distributes algorithms and/or algorithm portions to various respective processors 105-130 (Ratcliff, col. 7, lines 50-54). However, those processors are only sent information about their specific algorithm that they are responsible for. Sometimes more than one processor will receive the same algorithm (Ratcliff, col. 7, lines 55-58). Nonetheless, in all instances within Ratcliff, the processors 105-130 will only execute the algorithm that it is sent, and will not know anything about any other algorithms being sent by any other processors.

This is in contradiction with Claim 1, various portions of which are highlighted above, which recites in part sharing the set of information with each slave process, including (a) information about a task to be performed by said slave process, and (b) information about one or more tasks, to be performed by processes other than the slave process, to execute the database statement. Ratcliff's distributing server does not give any information to a processor other than the algorithm that specific processor is executing.

Additionally, again as highlighted above, Claim 1 also recites sending to each slave process data that indicates which part of a set of information should be performed by that slave process. It would be impossible for Ratcliff to disclose this, as Ratcliff's distributing server does not give any information about any other processes to a processor. Thus, there would be

no need for Ratcliff to indicate which part of a set of information a processor should execute. The Ratcliff processor would not be in a position to make such a choice.

For at least the above reasons, the rejection of claim 1 should be withdrawn, along with all claims dependent therefrom. Additionally, all remaining Claims were rejected under 35 U.S.C. § 103 as allegedly obvious over a variety of references using Ratcliff as a base reference. However, all of these claims either explicitly recite or depend from other claims which recite elements which as shown above are neither disclosed nor suggested by any combination of prior art, either by Ratcliff or by any other reference. The secondary references do not cure this deficiency of Ratcliff, and therefore any combination of Ratcliff with any of the secondary references cannot provide the complete combination of features recited in the remaining claims.

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,  
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